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INTELLECTUAL PROPERTY LAW

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FACSIMILE COVER SHEET

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(571) 273-8300

TO

Commissioner for Patents

Mail Stop: AF

FROM

Oleg F. Kaplun, Esq. of Fay Kaplun & Marcin, LLP

DATE

October 26, 2006

SUBJECT

U.S. Patent Appln. Serial No. 09/697,306

for Surgical Apparatus and Method Your Ref.: 94-L0034CON-DIV

Our Ref.: 10121/01601

NUMBER OF PAGES INCLUDING COVER: 9

MESSAGE:

Please see attached.

Thank you.

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OCT 2 6 2006

Attorney Docket No. 10121/01601 (94-L0034CON-DIV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

McGUCKIN, Jr.

Serial No.

09/697,306

Filed

October 27, 2000

For

Surgical Apparatus and Method

Group Art Unit

3761

Examiner

Glenn K. Dawson

Mail Stop: AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Certificate of Facsimile

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> Mail Stop: AF Commissioner for Patents Alexandria, VA 2213-1450 (571) 273-8300

> > October 26, 2006

TRANSMITTAL

Transmitted herewith please find an Amendment in response to the Office Communication mailed October 11, 2006 for filing with the USPTO in the above-identified application. No fees are believed to be required. However, the Commissioner is hereby authorized to charge any additional required fees to the Deposit Account of Fay Kaplun & Marcin, LLP No. 50-1492. A copy of this paper is enclosed for that purpose.

Dated: October 26, 2006

Respectfully submitted.

Oleg F. Kaplun (Reg.

Fay Kaplun & Marcin, LLP 150 Broadway, Suite 702 New York, N.Y. 10038 (212) 619-6000 (telephone) (212) 619-0276 (facsimile)

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Oleg F. Kaplun (Reg. No.45,559)

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[10121/01601]

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AMENDMENT

In response to the Office Communication mailed October 11, 2006, please amend the above-identified application as follows: